

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cr. No.: 19-00437-JB

PATRICK YELLOWHAIR,

Defendant.

ORDER FOR COMPETENCY EVALUATION

THIS MATTER is before the Court on the government's unopposed Motion for Competency Evaluation (Doc. 34). The Court being fully advised of the circumstances, finds that the Motion is well-taken and should be granted.

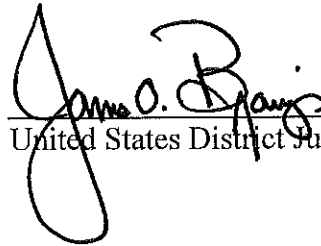
IT IS THEREFORE ORDERED that Dr. Julie M. Brovko, Ph.D. is appointed to evaluate the competency of the defendant, Patrick Yellowhair, pursuant to 18 U.S.C. §§ 4241 and 4247(b). After conducting the evaluation, Dr. Brovko shall prepare a sealed report in accordance with 18 U.S.C. § 4247(b) and (c). The report shall be submitted to the Court with copies provided to counsel for the defendant and counsel for the government. The report shall address the factors relevant to a determination of competency set forth in 18 U.S.C. § 4247(c), including, but not limited to: (1) the defendant's ability to understand the nature and consequences of the proceedings against him; and (2) the defendant's ability to assist properly in his defense.

IT IS FURTHER ORDERED that the cost of the evaluation and Dr. Brovko's hearing testimony, if necessary, shall be paid by the Department of Justice through the U.S. Attorney's office.


8/26/19

~~IT IS FURTHER ORDERED~~ that proceedings in this case are stayed until the report is received and a competency hearing is convened. Pursuant to 18 U.S.C. § 3161(h)(1)(A), the period of time from the entry of this order until the entry of an order resolving the question of defendant's competency is excluded for purposes of calculating defendant's speedy trial rights.

So Ordered this 26 day of August, 2019.


United States District Judge

Submitted by:
Allison C. Jaros, Assistant U.S. Attorney

Approved by:
Amanda R. Lavin, Counsel for Defendant